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One other point should be briefly touched upon. On p. 165 Clement refers to passages in which he says the present and perfect tenses occur side by side in a way to show that no difference was felt between the tenses. Even if *ne* with the present and *ne* with the perfect did occur in these passages side by side, I can not see that it would necessarily tend to prove my theory to be false. Why is it necessary to suppose that a man can not prohibit one act with unusual energy, without using the same energy in every other prohibition uttered at about the same time? I should expect that the manner of utterance in each case would ordinarily depend upon the character of the act prohibited, as it appeared to the speaker. However, there is no such instance of the two tenses with *ne* in prohibitions in any of the passages cited by Clement. In Curt. Ruf. 9, 2, 28 and 29 the first *ne*-clause is subordinate (*oro quaesoque ne deseratis*). In Tac. Ann. 6, 8, Clement thinks that *nec adsequere* is an emotional prohibition, and *ne cogitaveritis*, "the reverse." As a matter of fact, *nec adsequere* is not a prohibition at all (see above). On the other hand, *ne cogitaveritis*, as has been shown, is a prohibition of an act which, if performed, would involve as great a disaster as could well be conceived of. None of the other passages cited contains any instance of *ne* or *cave* except Curt. Ruf. 7, 8, 28 f., where *ne credideris* and *cave credas* occur in two neighboring sentences. Attention has already been called to the virtual disappearance of the perfect tense with *cave*.

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ELMER'S TREATMENT OF THE PROHIBITIVE—A REJOINDER.

The editor of the Journal has asked me to reply to Professor Elmer's criticism of my paper, ending the discussion of the prohibitive in these pages. The manner in which Elmer has treated my article makes it possible to discuss his original paper more incisively than the scope of my original investigation permitted.

In his original article (A. J. P. XV 326; 49¹), Elmer said: "My examination of these (i. e. certain Silver Latin) authors leads me to think it probable that the principles I have laid down for classical times will, in the main, hold also for Silver Latin." This inspired my investigation. I made no attempt to prove the incorrectness of Elmer's distinction for the use of the tenses in prohibitions in the period before Livy, but only its incorrectness for the period I was considering.² As Elmer (A. J. P. XX 80, note) commended my "careful examination" of the period when I had spent only a few weeks upon it, instead of the year and a half

¹ The first number gives the page of the original article, the second the same page in the reprint.

² For the usage in Terence, see my paper in C. R. XV 157-159 (April, 1901).

devoted to the final paper, and as he encouraged me to continue, I can not believe that he is entirely serious in his present criticism of my method of treatment.

One of his first complaints (I shall treat them as they appear in his reply) is that I have brought other things into my discussion, beside "independent prohibitions introduced by *ne* (*neve*) and *cave*"—for example, clauses introduced by *vide ne*. Here, at the start, we have a lack of exactness in his terminology. He uses the unmodified word "prohibitions," when he ought constantly and consistently to say "independent prohibitions, together with one class of dependent prohibitions, namely those with *cave*" (for of the dependence of the subjunctive in the latter class there can be no question). *Why* does Elmer choose to confine himself to the dependent prohibitions introduced by *cave*? He is bound to state *why* the phenomena with *vide ne* are not the same as with *cave*. It will not do, as a scientific matter, to say that he *chooses* to confine himself to the construction with *cave*. If he can make out the case for *cave*, that fact is interesting, but he can not arrest the interest of *other* students of Latin at this point. One wants to know not simply what the underlying feeling of Latin usage was in independent prohibitions and dependent prohibitions with *cave*, but what the Latin feeling was in prohibitions in general.

The same holds true of the subjunctive constructions with *nec*, *nihil*, etc. The fact that Elmer regards them as belonging to a different class is no reason why others, who do not so believe, should be debarred from considering them in endeavoring to settle the general question. While he does not mention these subjunctive uses in his first paper on the prohibitive, his treatment of certain passages in that paper and in Cornell Studies, VI is so inconsistent and arbitrary that it is impossible to be certain what his real position is. I will cite a few passages as illustrations.

In the review in the present number of the Journal, he says that I discuss, among other things, "subjunctives with *nec*, *minime*, *nullus*, *nemo*, *nihil*, *numquam*, *non* and *vide*," and a little later, "in that part of the Latin Prohibitive which prompted Clement's paper . . . not a word was said by me regarding the subjunctive uses with *nec*, *nihil*, *numquam*, etc., except an emphatic statement that they lay entirely outside of my theory and had characteristics very different from those of the instances I was going to discuss." Then they are *not* prohibitive. Very good. Let us see how Elmer himself classifies some of the examples: (1) *Ne* . . . *quidem*. In Cic. Tusc. 1, 41, 98 *ne* vos *quidem* mortem timueritis is, so Elmer implies (323; 46), not a prohibition; but *ne* mittas *quidem* in Ter. Hec. 342 (146; 14) and *hoc* . . . *ne* Apellae *quidem* dixeris in Cic. Fam. 7, 25, 2 (150; 18) are placed by him among examples of the prohibitive. (2) *Nullus*. In Ter. Hec. 79 *nullus* dixeris is implied to be probably not prohibitive (323; 46); but *nullam* severis in Hor. Carm. 1, 18, 1 is classed (Studies, VI 26) with the prohibitives (it is plainly a translation of

Alc. fr. 44 μηδὲν φντεύσης). (3) *Numquam*. In Plaut. Capt. 149 *numquam* istuc dixis is ruled out from the prohibitives (323; 46), but *numquam* . . . *quisquam* . . . *dixerit* in Plaut. Rud. 790 (Studies, VI 26) is counted in. (4) *Nihil*. *Nihil* ignoveris, Cic. Mur. 31, 65 (322; 45), and other examples are ruled out, but *nil* fuerit, Hor. Sat. 1, 2, 57 (Studies, VI 26), is apparently included in the prohibitives (and is so regarded by most editors). (5) *Nemo*. Elmer objects to the instance of *nemo* which I cite, *neminem* riseris, Cato, Coll. 1, 31; but in Studies, VI 26-7 he gives *dederit* nemini, Cato, Agr. 5; *nemo* habessit, Cic. Leg. 2, 8, 19; *moratus* sit *nemo*, Liv. 9, 11, 13; and *nemo* quemquam deceperit, Liv. 9, 11, 4; of which last example he remarks: "this is from a very impassioned speech at the time of a grave military crisis." (6) *Nec*. Elmer rules out all my examples for Silver Latin. Yet he himself (Studies, VI 26-7) has included two examples from early and classical Latin in his list—namely, *nec* temptaris, Hor. Carm. 1, 18, 2, and *nec* me ille sirit Iuppiter (for *sinit* of the MSS), Plaut. Curc. 27.¹

Passing to his consideration of my examples of *ne* and *cave* with the perfect, I wish to restate a principle which he endeavors to use against me. I maintained that in prohibitions addressed to an indefinite second person (general precepts), be they perfect or present, there is no means of determining with certainty the presence or absence of emotion in a given case, for the simple reason that they *are* general. They certainly can not be counted *for* Elmer's theory; and the fairest course to pursue is to leave all of them out of consideration. Supposing, however, for the sake of argument, that one could determine the presence or absence of emotion, the presents, in fact, far exceed the perfects in number, so that in advancing this view I was aiding Elmer rather than myself. Excluding these cases, I gave three instances of non-emotional perfects. Of one of these, Phaedr. App. 26, 5, Elmer says: "*ne* *timueris* is merely one of several conjectures and has *not* the *slightest* authority of *any* kind *whatever*" (the italics are mine). The case would perhaps seem to call for the strong language which it evoked. But Elmer must share with me the rebuke; for in his original paper (326; 49) he himself gives the example with the same reading and without mention of its being a conjecture. Evidently we both used the Teubner text, which in its enumeration of the more important conjectures adopted makes no mention of this passage. That Tac. Ann. 6, 8 *ne* *cogitaveritis*, a passage whose context I carefully considered at the time, is emotional, I am not yet convinced. On the third instance, Mart. 2, 68, 3 *ne* *dixeris*, one should read Elmer's later comments on Auson. 296, 83 and Sen. Troad. 553, to see how he treats perfects which he wishes to retain and presents which he desires to exclude. Although Elmer (137; 5) cites Liv. 22, 39, 2

¹ *Sirit* here is certainly an optative, but if *nec* can be used with the optative, it is absurd to say that it can not be used with the volitive.

sis, neque . . . desis, neque . . . des, remarking: "Livy and later writers frequently use *neque* for *neve*," he admits no instance of the perfect (pp. 156-7) or present (162-3) in my paper of a similar character.

In his closing words on the perfect he evidently fails to grasp what are the two things requisite to establish the validity of his theory, and without which the theory is untenable. Not merely must the majority of the perfects be emotional, but the largest part of the presents must be the reverse. In Silver Latin the proportion of emotional perfects is much larger than in Plautus, as readers of Bennett's critique (Studies, IX) will recall. In Cicero's Letters Elmer himself does not claim "great earnestness, either real or assumed," for all the perfects (150; 18). Supposing all the examples I cited were clearly emotional (and even Elmer does not claim this), the theory would not be proved, if there were any considerable number of emotional presents. That this last is the case in the period discussed I am convinced, despite Elmer's efforts to remove the examples.

In my treatment of the present I made several mistakes in classification and interpretation. These are frankly to be admitted, though I am glad to say they are far less numerous than Elmer would have his readers believe. Whatever their cause, they were *not* due to hasty work; for each subjunctive passage was carefully considered at least six times, sometimes after intervals of weeks or even months.

On pages 161 and 163 I cited five instances of *nec possis* as prohibitions. The interpretation is doubtless incorrect, but when Elmer asks: "Who ever heard of such a prohibition as 'And do not be able'?", I would refer him to Giles' note on 'Latin Negatives and Their Use in Prohibitions' (Cambridge Philological Society's Proceedings, 1901, pp. 12-13), which Professor Gildersleeve very courteously brought to my attention. There an Oscan prohibition is given, the Latin translation of which reads as follows: *nec dicere nec fari possit*. (Giles points out that *nep*, the Oscan equivalent for *neque*, is used *only* in prohibitions.) In *Ov. Art. Am.* 1, 668 and *Ex Ponto* 2, 4, 31 *cave ne possit* occurs. *Nec adsequere*, *Tac. Ann.* 6, 8, is not a prohibition. "*Neque enim*," continues Elmer (I quoted two instances with the perfect, *Ps.-Quint.* 22, 3 and 50, 6), "is not used with a prohibitive subjunctive for the same reason that it is not used with the imperative mood." The fact that *enim* can be used with the imperative (*Ter. Eun.* 751 and *Cic. de Sen.* 19, 69 are examples) and that *nec* can be used with the imperative makes it impossible to rule out *neque enim* with the volitive.

"Another evidence of inexcusable carelessness will be noticed in Clement's free intermixture of subordinate clauses (*oro ne facias*, etc.) with prohibitions proper." As Elmer has been a serious offender in this regard, though in simpler clauses (Bennett, Studies, IX, pp. 51, 52, 58-60), it is interesting to get such an

unbiased opinion of his own work. I shall be obliged to refer to the original article on the prohibitive and an instance or two from Studies, VI to show Elmer's theory and practice. It will be most convenient to consider each verb separately: (1) *Obsecro*. Plaut. Amph. 924 te, Alcumena, oro, obsecro te, da mi hanc veniam, irata ne sies; Mil. 862 ne dixeritis, obsecro; Most. 1083. On page 140 (8), Elmer says: "Many of these are accompanied by expressions which betray the speaker's earnestness"; and he includes the word *obsecro*. This shows clearly that in effect he recognizes the construction with *obsecro* as prohibitive. Yet he omits Ter. H. T. 292 Syre mi, obsecro, ne me . . . conicias, and H. T. 1028, 1029 and Phorm. 945,¹ without a word of explanation. Again (135; 3): "the orations of Cicero alone contain 81 prohibitions (or probably twice that number, if we include such expressions as *quaeso ne facias*, *obsecro ne*, etc.)." His statement shows that he recognizes the feeling to be prohibitive in all these constructions. Why does he include some and exclude others? (2) *Obtestor*. Studies, VI 27, he cites Plaut. Capt. 320 te obtestor, ne faxint as "perhaps" dependent. On the other hand, he does not mention Ter. And. 291 te oro, . . . te obtestor, ne . . . segrege neu deseras,¹ and rejects Il. Lat. 724 vos . . . obtestor, ne . . . velit. And. 291 and Amph. 924 (which he accepts) are almost identical, *obtestor* in the first being represented by *obsecro* in the second. Elmer certainly would not advance the theory that clauses with *obsecro* are independent, but are not with *obtestor*. (3) *Quaeso*. Plaut. Mil. 1333 ne interveneris, quaeso (141; 9) is a prohibition; Cic. ad Att. 14, 1, 2 quaeso, ne pigrescere (151; 19) "might well be explained as" among "instances of the same use" (i.e. prohibitions), and de Rep. 6, 12, 12 (136; 4), but Curt. Ruf. 9, 2, 28 oro quaesoque, ne . . . deseratis is not a prohibition. (4) *Dico*. Plaut. Trin. 501 dico, ne . . . siris is independent (the clause is plainly substantive, as I believe one of Elmer's pupils has shown [Durham, Substantive Clauses in Plautus, p. 18]), while Ter. And. 205 sed dico tibi: ne temere facias; neque haud dices tibi non praedictum; cave is omitted. Here the indicative and imperative point to the independent character of *ne facias*. (5) *Oro*. Elmer accepts an instance in Plaut. Amph. 924, cited above, and rejects instances like Expectes oro neve interimas me, Incert. 3, 273, 15, which one of our two greatest authorities on Latin syntax pronounces independent. (6) *Peto, rogo*, etc. "Next to *noli* (149; 17) the most common form of prohibition in Cicero is, I should say, some circumlocution like *peto, rogo, oro*, etc., followed by *ne* with the subjunctive, but I have made no attempt to collect the examples." Elmer cites Cic. ad Fam. 16, 9, 4 petam, ne . . . naviges as "probably independent" (it seems to me almost parallel with Sil. Ital. 17, 367, which he rejects), and excludes Apul. 19, 3 ne spernas, peto. What principles Elmer follows I can not make out. He rejects some instances where the verb precedes *ne* and the subjunctive,

¹ These passages are given in full, C. R. XV 158.

accepts others, and pursues the same inconsistent course when the verb follows or is thrown in parenthetically. It can not be a question of position or verb or tense, for there is no consistency in his use of any of the three. It will be seen that I have tried to follow him as faithfully as the tangle of contradictions would permit, only to be censured for my carelessness and failure to read and profit by his words.

It is clear that the grammarians are far from harmonious in their treatment of independent and dependent clauses. One phenomenon deserves more consideration than it appears to have received. From Plautus on there are numerous instances where an imperative occurs with various verbs, in the same position as subjunctive clauses with *ne*. In some instances an imperative and a *ne* prohibition are used in exact parallelism (e. g. Amph. 924). Is it not possible that all such clauses were felt as paratactic?

Curt. Ruf. 6, 3, 12 and Dracont. 5, 148, 276 are plainly subordinate. Apul. 19, 3 is a proviso (I recognized this too late to prevent the appearance of the example). All other examples of alleged subordination have, I think, been discussed.

Let us consider some of the examples of the present with *ne* and *cave*, which I regarded as emotional and where disaster would follow disregard of the prohibition. I will take up only a few representative cases as illustrative of the whole.—Pers. 3, 96. It is true that the friend's help may save the invalid's life. Many invalids, however, regard any interference with them as a distinct injury to their feelings or interests, and often express themselves vigorously.—Stat. Theb. 3, 243. Elmer objects to my reading *pugnare* for *pugnate*. It does not change in any way the prohibition *ne certetis*.—Stat. Silv. 4, 9, 55; Mart. 11, 102, 7, and Apul. 30, 6 (the last two with *cave*) are in a spirit of fun. One can employ vigorous expressions or a vigorous tone even in jest.—Vespa 62. The loss of a debate is often regarded and felt as a disaster.—Apul. 146, 3. Not to be recognized, as a noted robber would doubtless be a serious shock to a bandit chief's feelings.—Curt. Ruf. 4, 1, 22. Should a poor man, suddenly raised to power, forget his humble origin, his reign would in all probability be tyrannical.—Curt. Ruf. 4, 10, 26. Darius urges a messenger not to spare him. Failure to comply with the prohibition would at first sight seem a kindness, but he shows it would not be by adding: "it is often a solace in calamity to know your fate."—Stat. Theb. 11, 111 is certainly emotional. (Elmer, having cited the only instance in Plautus (Men. 994) of *cave* with the third person of the perfect, seems to shun all other instances of the first and third persons with *cave* as religiously as those of *nec*. They certainly should receive the same consideration.) There are various other examples, but as Elmer has not attacked them, it is not necessary to defend them. It has been shown conclusively, I think, that, confining the investigation to the lines Elmer would insist on (*ne* with the subjunctive and *cave* with the subjunctive), that there is a large proportion of emotional presents.

The most trifling objection Elmer urges against my treatment is to be found in his criticism of the examples given on page 165 of my paper of the disasters resulting from non-compliance with the prohibitions: "one has to search for them, as citations are omitted." All the passages referred to were given on the three pages preceding, properly labelled. One appreciates the full value of the criticism when he discovers that, owing to omissions and the absence of citations, he must read over 8000 pages of Teubner text to secure the examples of *cave* in the period Elmer claims to cover.

If it be true, as Elmer admits, that "the types *nec feceris* and *nec facias* are freely used in Silver Latin in prohibitions," why he should be unwilling to consider examples of such usage is a mystery. It is interesting in connection with his statement: "It is beyond all dispute that *neque* (*nec*) had in Silver Latin come to be regarded often as an exact equivalent of *neve* (*neu*)" to read Giles' note, in which he shows that, in Oscan *nep*, the equivalent of Latin *neque*, is used only in prohibitions, and "the form with *-que*, therefore, is not an usurper in the territory of *neve*; *neve* itself is the usurper." That being the case, what becomes of the subjunctive of obligation or propriety with *nec*?

I am perfectly willing to admit that there are instances in Silver Latin where the perfect or the present with *nec* can not be translated as a prohibition. The instances which Elmer cites I treated as he did. On the other hand, I do not see why, when subjunctives with *nec* make perfectly good sense as prohibitions, they should be regarded as anything else, especially since a number of them follow a subjunctive with *ne* or an imperative.

To lists previously given where the present and perfect occur side by side should be added Plaut. Trin. 1011, 1012 *Cave ne crepent*; *ne destiteris*; Cic. Att. 10, 13, 1 (150; 18) *ne demiseris*; *pertimescas cave*, and Prop. 1, 10, 20, 23, 24 *Cave ne capias, neu negaris, neu cadant*.

To Elmer's "complete" list of perfects in Cicero's Letters (150; 18) should be added Quint. Frat. 2, 5, 3 *ne omiseris*.

It will be admitted, without citations from Elmer's original article, that the use of dependent prohibitions introduced by *cave* was one of the two parts of the theory which he aimed to establish for the period prior to Livy. It will also be admitted by all scholars that it is absolutely essential for the demonstration of any theory's validity that *all* the examples of the usage within the period covered be collected, that the citations be given, and that the instances be properly classified so that any one desiring to test the theory for himself can do so with comparative ease. Elmer's frequent references to *cave* led me to compare the statistics he gives with my own collections. The following table will best present the results:

		Instances said to occur.	Actual number.	Passages cited.	Text cited.	Omissions.
Plaut.,	Perf.	29	33	29	0	4
	Pres.	9	18	9	0	9
Ter.,	Perf.	4	4	4	0	0
	Pres.	5	9	5	0	4
Cato,	Pres.	17	17	1	1	0
Catull.,	Pres.	0	3	0	0	3
Cicero,	Pres.	30	32	17	1	2
Sallust.,	Pres.	1	1	0	0	0
Nepos,	Pres.	1	1	0	0	0
Horace,	Perf.	0	1	0	0	1
	Pres.	0	6	0	0	6
Vergil,	Pres.	0	1	0	0	1
Tibull.,	Pres.	0	6	0	0	6
Prop.,	Perf.	0	2	0	0	2
	Pres.	0	5	0	0	5
Ovid,	Perf.	0	1	0	0	1
	Pres.	0	16	0	0	16
		96	156	64	2	60

Elmer says (142; 10) there are 18 (19?) examples of the present in Plautus and Terence, but (146; 14) cites only the number given above. It will be seen that even my statistics are incomplete, as I have noted only the instances met with in my reading since my interest in the subject was aroused. A number of authors are missing, while for Cicero my collections are only for the Letters. Others may be able to extend the list still farther.¹ I give a list of the omissions (except the Plautine perfects, on which see Bennett, *Studies*, VI 57), which may prove serviceable for reference, verbs other than those of the second person being indicated in parentheses, thus (1), (3) : Plaut. *Aul.* 660 (1); *Bacch.* 1033 (3); *Curc.* 461 (3); *Most.* 324, 326; *Pseud.* 1296 (1); *Rud.* 704; *Stich.* 38 (1); *Trin.* 1011 (3); *Ter. And.* 403 (3); *H. T.* 1031 (1), 1032 (1); *Phor.* 764 (3); *Catull.* 50, 18, 19; 61, 152; *Cic. Att.* 1, 10, 4; 1, 11, 3; 13, 33, a. 1; *Fam.* 5, 20, 6; 6, 12, 5; 10, 5, 3; 10, 12, 1; 16, 12, 6 (bis); *Hor. Sat.* 2, 3, 38; 2, 3, 177 (bis); 2, 5, 75 (3); *Ep.* 1, 6, 32 (3); 1, 13, 19 (bis); *Verg. Aen.* 11, 293 (3); *Tibull.* 1, 6, 17 (3), 18 (3), 19 (3), 20 (bis) (3); 4, 2, 3 (3); *Prop.* 1, 7, 25; 1, 10, 20, 23, 24 (3); 3 (2), 13, 41; 5 (4), 8, 77, 78 (3); *Ov. Am.* 1, 8, 72 (3), 95 (3); *Art. Am.* 1, 667 (3), 668 (3); 3, 237, 801; *Rem. Am.* 689, 717; *Metam.* 2, 89 (1); *Trist.* 1, 1, 25, 104; 5, 13, 26; *Ex Ponto* 1, 9, 32 (3); 2, 4, 31 (3); 2, 8, 64 (3); *Fast.* 1, 58, 684 (3). Elmer says in his criticism that he knows of no instance of *cave* with the perfect after Terence, except *Hor. Sat.* 2, 3, 38 and *Curt. Ruf.* 5, 2, 21. He will find three

¹ Thus Ribbeck, in the indices of his *Scenic Fragments*, gives eight additional examples, all presents but one.

more instances in the above list: Prop. 1, 10, 23; 3 (2), 13, 41; Ov. ex Ponto 1, 9, 32.

From the foregoing it will be seen that there are 41 perfects as compared with 115 presents; 37 of these perfects (90 per cent.) occur in Plautus and Terence; from Terence on the proportion of perfects to presents is 4 to 88, or about 4 per cent.; to prove Elmer's theory the large majority of these presents must be non-emotional. What had become of Roman emotion after Terence?

From Plautus on, *cave* with the present is often used in expressions of emotion, more or less strong, thus (I cite only a few typical cases, as I have neither desire nor space for an extended discussion): Plaut. Capt. 439; Most. 324; Ter. H. T. 1031; Phor. 793; Catull. 61, 152; Cic. Att. 1, 10, 4; Tibull. 4, 2, 3; Prop. 1, 10, 24; Ov. Met. 2, 89; Sall. Cat. 59. In Plautus fully one fourth of the examples are emotional, in Terence nearly every instance.¹ In later authors the proportion varies, averaging probably 40 per cent. to 60 per cent. Thus, without 40 per cent. of the examples of the usage which he claims to discuss, without an adequate statement or exposition of the instances in even the three authors upon whom he apparently bases his discussion, Elmer asserts the validity of a theory which is not even tenable in the authors where the percentage of perfects is the highest. That he ventured to advance a theory so important without an adequate basis of statistics, and practically without any argument in its support, seems almost incredible. It is a mystery why its utter weakness was not discovered at once.

The same omissions occur in his treatment of *ne* with the present subjunctive, only the instances in Plautus, Terence and Cicero being given; but in this case, like Elmer, "I have made no attempt to collect the examples." Thus only one of the four divisions of his theme (*ne* with the perfect subjunctive) has been adequately treated.

On pages 149-150 (17-18) Elmer presents some statistics as to the use of different forms of prohibition in Cicero's Letters which are certainly interesting. After mentioning the recipients of the letters where *ne* with the perfect was used—Atticus, Quintus Cicero, Trebatius, and Fadius Gallus—he says: "To his other correspondents he uses *noli* or in two instances *cave* with the present subjunctive." But Cicero has *eleven* examples of *cave* outside of the letters to Atticus, *seven* of which certainly are to persons other than those whom Elmer mentions: to Rufus (Fam. 5, 20, 6), Ampius (Fam. 6, 12, 5), Paetus (Fam. 9, 24, 4), Plancus (Fam. 10, 5, 3; 10, 12, 1), Tiro (Fam. 16, 12, 6). A little later Elmer states: "Except the passionate remonstrance referred to in a letter written by Brutus (Brut. 1, 16, 6), the correspondents of Cicero use only *noli* in addressing him." But Balbus (Att. 8, 15, a. 2) uses *cave*, and Caelius (Fam. 8, 16, 2) and Brutus (Fam. 11, 20, 3 and Brut. 1, 16, 7) use *vide*.

¹ See C. R. XV 158.

In my 'Prohibitives in Silver Latin' (A. J. P. XXI 166), I remarked: "it is interesting to note that the critics and later writers on the prohibitive regard Professor Elmer as the original overthrower of Madvig's theory, either ignorant or forgetful of the fact that Professor Hale (A. J. P. IX 162) six years before the appearance of Elmer's papers had shown that Madvig's theory did not apply to Plautus." I am rather surprised to see that Elmer takes no notice of this remark. The case becomes still more striking in view of the complete parallelism between Hale's statement of the force of the perfect subjunctive (pp. 161 and 162) and that of Elmer in several places. Thus, in the year 1888 (op. cit.), Hale, laying down the general distinction between the present subjunctive and the perfect, says: "the feeling of the finished tense in the independent jussive is that of peremptoriness. The speaker, using it, expresses himself with a certain amount of authoritative impatience"; . . . "the *be-it-done-and-done-with* perfect"; while Elmer, in the year 1898 (Studies, VI 16), says: "in my papers on the Latin Prohibitive (A. J. P. XV, 1894) I have shown that the only important distinction to be made between the two tenses is that the perfect tense is impatient and emotional, while the present tense is common-place." It was in immediate connection with his statement as given above that Hale said (in clear opposition, so far as the ground covered by the statement is concerned, to the dominant theory of Madvig): "Plautus freely uses the present subjunctive in prohibitions addressed to a particular person." If such a phrase of censure as Elmer's "inexcusable carelessness" is to be used at all in philological discussion, it certainly might be charitably employed of Elmer's silence in this matter. In the passages quoted above Hale had supplied all the elements for an investigation of Madvig's doctrine, which it looked as if he had begun upon himself.

It will be noted that, in the foregoing, every reference to Elmer's original paper has been by page, often verbatim, when the accuracy of such reference could otherwise be disputed. I hope I have made every point of my position plain, frankly acknowledged every mistake, and shown some small part at least of the weaknesses, inconsistencies, omissions and mistakes in Elmer's treatment of the prohibitive. With these before him for consideration, I trust his criticisms of others in the future will be tempered by more of the spirit of comity and fair play than has characterized them in the past.

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